

1901-023 Chancery Causes: M. O. Garrison vs. A. J. Garrison
Lee Co.

Bailey, Doss

CA-Divorce

To the Hon. H. A. W. Shen, Judge of the
Circuit Court For Lee County, Virginia:

Humbly complaining, your oratrix M. O. Garrison
would show unto the Court; that she is now a
citizen of this state, and has been such for a period of
more than twelve months prior to the institution
of this suit; that on the day of 189,
she was married to one A. J. Garrison, and
that to them were born two girls both of whom
are now living, the elder, Flora D. Garrison is now
four years old, the younger ^{Rosa} ~~Beth~~ Garrison is
two $\frac{1}{2}$ years old; both living with your oratrix;
that she and her husband lived together
several years; but that on the day of
1898, he deserted and abandoned your oratrix
without cause or valid excuse; that he has
wilfully lived apart from, and abandoned her for
a period of more than three years; that during
that period he has made no provision for the
support of her and her two little girls, nor has
he contributed any thing toward her and the children's
maintenances: that he has lived in dissipation
and with lewd women during the last ~~five~~ ^{three} years,
and your oratrix avers that he is not morally
fit to be entrusted with the care and education
of her two said little girls:

And the object of this suit is to obtain
a decree dissolving and annulling the bonds of
matrimony now existing between your oratrix and
the said A. J. Garrison, and to restrain and
inhibit the said A. J. Garrison from exercising

any authority or control over the persons of
the said and Garrison.

Forasmuch therefore as your oratrix is remedi-
less in the premises, save in a court of equity;
she prays that the said A. J. Garrison may
be made a defendant to this bill, and be required
to answer the same, but not on oath, the same
being hereby waived; that he be restrained and
enjoined from interfering with or in any way
molesting her said two children, who are well ~~born~~
your oratrix; that your oratrix may be divorced
from the said A. J. Garrison a vinculo matrimonii;
that process issue; that all proper orders and
decrees may be made; and that all such other,
further and general relief may be afforded your
oratrix as may be just and right in the premises.
And your oratrix will ever pray etc.

J. C. Noel p. q.

M. O. Garrison

vs. Bill in Chancery

A. J. Garrison

1901. 2nd May rules bill
filed Spa & sented

" 1st June rules held the
last Monday in May
Cause set for hearing
by Plaintiff

1901

June Term 1901 Decree
final Chy O. B. No 6

Page 548

Plffs Costs

Clerk 4.04

Tax 1.50

Shff .50

atty 15.00

J P .75

Wits 1.00

Co. Clerk 25

\$23.04

M. O. Garrison
vs
A. J. Garrison } In Chancery.

This Cause came on this 3rd day of June 1901 to be heard upon the plaintiffs bill and the depositions and papers filed therewith and was argued by counsel. Upon consideration of all which, it is adjudged, ordered and decreed that the bonds of ~~matrimony~~ matrimony heretofore contracted and entered into and up to this time existing between the plaintiff and defendant, ~~be~~ and is hereby vacated set aside, ~~and~~ annulled and dissolved.

It ~~is~~ is further adjudged ordered and decreed that the plaintiff be given the care and custody of the two little girls born to said plaintiff and defendant, to wit: Rosa Berthage and Flora D. Garrison, and that the said defendant be forever restrained and inhibited from exercising any control or authority over said children. It is also adjudged, ordered and decreed that the plaintiff recover of the defendant her cost in this cause expended, and this cause is stricken from the docket.

M. O. Garrison
vs Decree Final
A. J. Garrison
Entered in Chancery
Order Book No 6
Page 548.

Entered
H. A. W. S. L. L. L.
Judge.

1 The depositions of Minter Bailey and
2 Wright-Dass taken before me W. F. Orr,
3 ~~Shapps~~ a justice of the peace for the County
4 of Lee pursuant to the notice hereto annexed
5 at the office of J. C. Noel in Pennington
6 Gap, in Lee County, Virginia, on the 1st day
7 of June 1901, between the hours of 9 o'clock
8 A.M. and 7 o'clock P.M., to be read as evidence
9 in behalf of M. C. Garrison in a certain suit
10 in equity, depending in the Circuit Court for
11 the County of Lee, wherein M. C. Garrison is
12 Plaintiff and N. J. Garrison is defendant.

13 Present:

14 M. C. Garrison, J. C. Noel ^{for} Plff.

15
16 Minter Bailey, a witness of lawful age
17 being duly sworn deposes and says:

18
19 Ques State your age, residence, and occupation.

20 Ans I am 48 years old, reside at box 2 Lee County Va,
21 and am a farmer.

22
23 Ques Are you acquainted with the plaintiff and
24 defendant in this cause?

25 Ans I am. The plaintiff is my daughter.

26
27 Ques Where has the plaintiff resided for the
28 last 3 years and longer?

29 Ans She has resided with me for something
30 over three years, in Lee County Virginia.

31
32 Ques State how long it has been since she

1 and her husband has resided together?

Ans 2 It has been ~~over~~ three years since they
3 resided together as man and wife.

Ques 4 State what you may know about the
5 defendant N. J. Garrison, deserting or abandoning
6 the plaintiff?

Ans 7 In the Spring of 1897 or 1898, the plaintiff
8 and defendant resided on my place, near my
9 dwelling house, in a little house belonging to me.

10 The defendant left the plaintiff and
11 I have never seen him since. He left
12 her and her little child without anything
13 for their support or maintenance. I took
14 them into my home and have supported them
15 and the little child that was born to plaintiff
16 ~~in~~ a few months after he deserted her.

17 He deserted her without her consent or
18 connivance, and has not cohabited with
19 her since. If he has ever been in the
20 neighborhood where she has ~~resided~~ since
21 he left her, I have never known of it or
22 even heard of it.

23 And further this deponent suggests
24 nat!

25 Minter Bailey

26 Wright Doss, another witness of lawful
27 age being duly sworn, deposes and says:

Ques 28 Please state your age residence and occupation

Ans 1 I am 20 years old, reside at box Lee County, Va,
and am mail carrier.

Ques 4 Are you acquainted with the plaintiff
and defendant in this cause?

Ans 5 I am.

Ques 8 Do they now reside together as man & wife?
If not - how long has it been since they parted?
They do not. They parted something over
three years ago. The defendant went away
from the defendant over three years ago.
And if he has ever been back in the
neighborhood where she lives, I have
not heard of it.

Ques 17 Where has the ~~defendant~~^{plaintiff} resided
since her husband deserted her?

Ans 19 At Minnie Bailey's, her father's house.

Ques 21 What is the reputation of the defendant
S. J. Garrison, as regards morality and chastity,
in the neighborhood where she resides, if you
know?

Ans 25 His reputation is not good, as regards chastity
and morality.

Ques 27 Do you consider him ^{the defendant} ~~him~~ ^{fitting} by his reputation
and what you know of him as a fit person
to entrust with the care and training of the two
little girls of the plaintiff.

Ans 31 I do not believe that he is. He has never
provided for them in any way, that I have ever heard of.

And further this deponent says to wit:
Wright & Doss

Virginia Lee County to wit:

I, a justice of the peace for
the county aforesaid, in said state, do hereby certify
that the foregoing depositions of Minter Bailey
and Wright & Doss duly taken, sworn to, and
subscribed before me, at the time and place, and
for the purpose in the caption mentioned.

Given under my hand, this 1st day of June 1901.

W. J. Orr. J.P.

1900 to 1910

M. C. Garrison

20 Depositions

A. J. Garrison

Received by Mail
and filed June 3rd
1901.

A. B. Munsey Clk

Costs

J. P. 1.00

Witness Wright & Doss .50

Minter Bailey .60

To A. J. Garrison:

Take notice, that on the 1st day of June 1901, at the office of J. C. Noel in Pennington Gap, in Lee County, between the hours of 9 o'clock A.M. and 7 o'clock P.M. of that day, I shall proceed to take the depositions of Mintie Bailey and others, to be read as evidence in my behalf in a certain suit in equity, depending in the Circuit Court for the County of Lee, wherein I am plaintiff and you are defendant: and, if from any cause, the taking of the said depositions be not commenced, or if commenced be not concluded on that day, the taking thereof will be adjourned and continued from day to day, and from place to place and between the same hours, until the same shall be completed.

Respectfully,

M. D. Garrison, per counsel.

M. O. Garrison
no { notice to
take deposition

F. J. Garrison

Executed May
30th 1901.

by giving copy
of written notice
to A. J. Garrison
A. D. Robbins & S.

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The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

A. J. Garrison

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held for the
said court, on the *3rd* Monday in *May* 19*01*, to answer a bill in

chancery exhibited against

in our said court by *M. O. Garrison*

And have then there this writ.

Witness, A. B. Munsey, Clerk of our said Court, at the court-house,

the *16th* day of *May* 19*01*, and in the 12 *5th* year of the Common-

wealth.

A copy, Teste:

A B Munsey

Clerk.

Clerk.

M. O. Garrison

VS.

} SUBPCENA
IN CHANCERY.

A. J. Garrison

J. C. Noel p. q.

To 2nd May Rules.
.. Circuit Court.

Executed May 17th 1901
by serving copy of
the within Subpoena
on A. J. Garrison
This May 20th 1901
J. D. Robbins Dep.
for W. J. Melham S. L. O.